REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims are not anticipated under 35 U.S.C. § 102 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance,** the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.

The applicants will now address each of the issues raised in the outstanding Office Action.

Objections

Figures 7, 9 and 16 are objected to because they include reference numbers not mentioned in the specification. Figure 23 is objected to because it should be designated by a "Prior Art" legend. The specification is objected to because of typographical errors. Since the specification has been amended to correct the typographical errors, and to include the reference numbers illustrated in Figures 7, 9 and 16, and since claim 23 has been amended as proposed by the Examiner, these objections should be withdrawn.

Rejections under 35 U.S.C. § 102

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,982,416 ("the Ishii patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Claim 1, as amended, is not anticipated by the Ishii patent because the Ishii patent does not correct colors by changing over a plurality of color correction parameters **using, at least, information inherent in a subject image signal from the color image input section.** Column 2, lines 21-30 of the Ishii patent, cited by the Examiner, state that the image is adjusted using a profile suitable for "an input pickup condition" which is input. Similarly, column 4, lines 40-49 and 65-67 of the Ishii patent, also cited by the Examiner, state that the image is adjusted based on device characteristics. Neither of these citations teaches adjusting an image using, at least, information inherent in a subject image signal from the color image input section. That is, the Ishii patent discusses adjusting an image using information not derived from the image itself. Accordingly, claim 1, as amended, is not anticipated by the Ishii patent for at least this reason.

Rejections under 35 U.S.C. § 103

Claims 2 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Ishii patent in view of U.S. Patent No. 6,037,950 ("the Meir patent"). The applicants respectfully request that the Examiner

reconsider this ground of rejection in view of the following.

Claim 2, which has been amended to be in independent form, recites "an object recognizing section for dividing a subject image input from the color image input section into images of a plurality of areas, and selecting a suitable input profile from among a plurality of input profiles for each divided area; a device-independent color converting section for converting an image of each area into a device-independent color image by using the input profile selected from among the plurality of input profiles; an image combining section for combining the device-independent color images converted at divided areas into one device-independent color image; and a device value image converting section for converting the combined device-independent color image into an output device value image by using a predetermined output profile" as the color correcting section.

Since the object recognizing section selects a suitable input profile from among a plurality of input profiles for each divided area, a special technical advantage is provided in that an accurate color reproduction can be achieved for every subject in an image.

On the other hand, as the Examiner indicated, the Ishii patent discusses

> storage means for storing a plurality
> of profiles corresponding to desired
> image pickup conditions, input means
> for inputting an image pickup
> condition which is set when a desired
> image is obtained, selection means
> for selecting a profile suitable for

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the image pickup condition from the
plurality of stored profiles, and
transfer means for transferring image
data representing the desired image
in correspondence with the selected
profile.

Column 2, lines 21-30. The Ishii patent further states
that:

Conversion data representing the
relationship between device dependent
color spaces and device independent
color spaces are stored as profiles.
Therefore, an input profile storage
unit 25 stores conversion data (input
profile data) which is used to
convert each input device dependent
color space into a device independent
color space. On the other hand, an
output profile storage unit 26 stores
conversion data (output profile date)
which are used to convert device
independent color spaces into output
device dependent color spaces

(Column 4, lines 40-49), where "the profile data used by
the CMS process unit 14 are conversion data based on the
device characteristics" (Column 4, lines 65-67).

However, the Examiner concedes that the Ishii patent
does not disclose an object recognizing section for
dividing a subject image input from the color image input
section into images of a plurality of areas, and
selecting a suitable input profile from among a plurality
of input profiles for each divided area and an image
combining section for combining the device-independent
color images converted at divided areas into one
device-independent color image. (See, e.g., Paper No. 6,
page 4.)

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To compensate for this admitted deficiency of the Ishii patent, the Examiner relies on the Meir patent. Referring to Figure 4, the Meir patent discusses that if a selected script(s) is associated with a source device as queried, then a first transform space can be defined as device-independent color space and a second transform space can be defined as device-independent color space. More specifically, the Meir patent states:

> For instance, if the chosen script(s) is associated with the PDC-2000 digital camera, then when a target 100 having color patches 102 as illustrated in Fig. 7 is acquired by the camera, the RGB values in RGB space are averaged for each color patch 102. In this case, the target 100 consists of 64 color patches 102 each including an averaging area 104 which shows the user the position and size of the averaging areas 104 that will be used to average color information within each color patch. The size and location of the averaging areas 104 can be modified by the user.

Column 7, lines 39-51.

However, in the Meir patent, 64 different predetermined color patches, for example, are arranged and photographed to obtain input profile information of an input device. An arbitrary subject is <u>not</u> photographed, and an object recognizing section does <u>not</u> divide a subject image input into a plurality of areas and select a suitable input profile from among a plurality of input profiles for each divided area. Accordingly, the Meir patent neither teaches, nor

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suggests, "an object recognizing section for dividing a subject image input from the color image input section into images of a plurality of areas, and selecting a suitable input profile from among a plurality of input profiles for each divided area" as recited in claim 2.

The recited feature of claim 2 offers a special technical advantage in that for an arbitrarily image, in which a subject is not predetermined, a suitable input profile can be selected from among a plurality of input profiles for each divided area, an accurate color reproduction can be achieved for every subject in an image. The Meir patent does not offer such an advantage.

Therefore, as recited in claim 2 as amended, "an object recognizing section for dividing a subject image input from the color image input section into images of a plurality of areas, and selecting a suitable input profile from among a plurality of input profiles for each divided area" is neither taught, nor suggested, even from the combination of the Ishii and Meir patents as proposed by the Examiner.
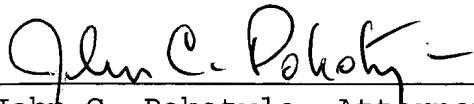
In view of the foregoing, claim 2 is not rendered obvious by the Ishii and Meir patents. Since claim 10 depends on the amended claim 2, it is similarly not rendered obvious by these patents.

Conclusion

In view of the foregoing amendments and remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Respectfully submitted,

September 9, 2004

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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **September 9, 2004** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
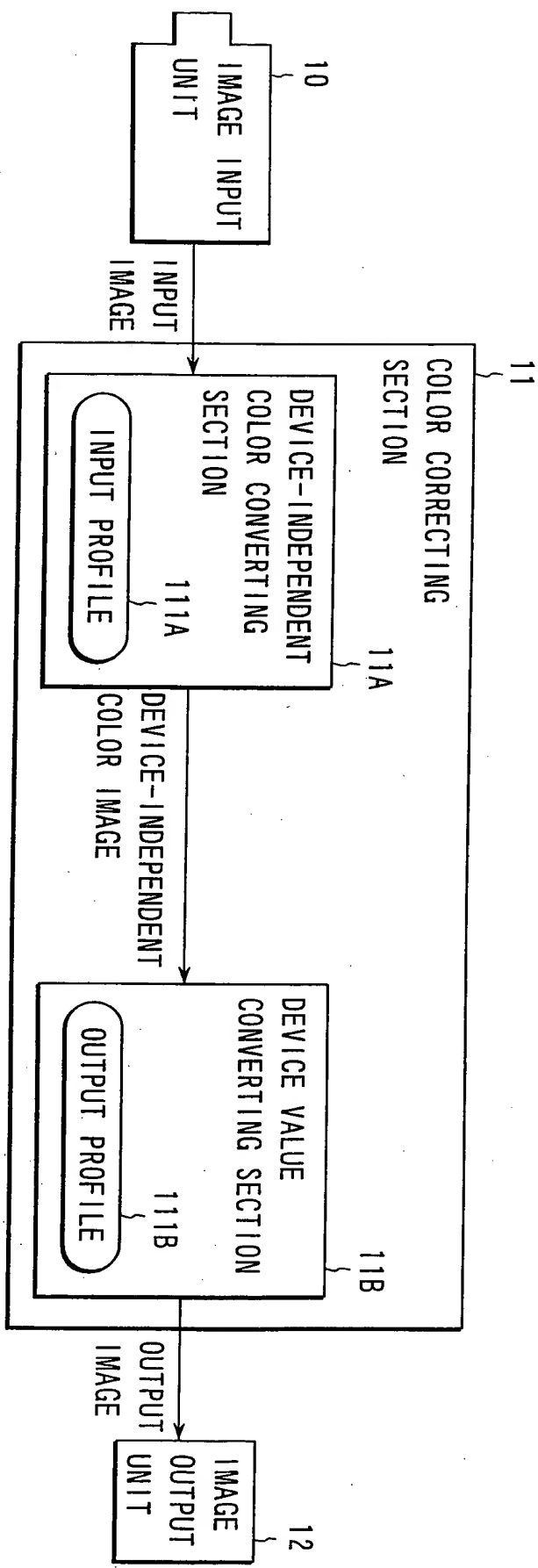
John C. Pokotylo

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FIG. 23

(Prior Art)

IMAGE INPUT UNIT 10

INPUT IMAGE

COLOR CORRECTING SECTION 11

DEVICE-INDEPENDENT COLOR CONVERTING SECTION 11A

INPUT PROFILE 111A

DEVICE-INDEPENDENT COLOR IMAGE

DEVICE VALUE CONVERTING SECTION 11B

OUTPUT PROFILE 111B

OUTPUT IMAGE

IMAGE OUTPUT UNIT 12